



महाराष्ट्र शासन राजपत्र

असाधारण भाग पाच-अ

वर्ष ६, अंक ५]

शुक्रवार, जून १३, २०१४/ज्येष्ठ २३, शके १९३६

[पृष्ठ ४, किंमत : रुपये ३६.००

असाधारण क्रमांक २४

प्राधिकृत प्रकाशन

महाराष्ट्र विधानसभेत व महाराष्ट्र विधानपरिषदेत सादर केलेली विधेयके (इंग्रजी अनुवाद)

MAHARASHTRA LEGISLATURE SECRETARIAT

The following Bill was introduced in the Maharashtra Legislative Assembly on the 13th June 2014 is published under Rule 117 of the Maharashtra Legislative Assembly Rules :—

L. A. BILL No. XXIII OF 2014.

A BILL

further to amend the Maharashtra Homoeopathic Practitioners' Act and the Maharashtra Medical Council Act, 1965.

XII of 1960. Mah. XLVI of 1965. WHEREAS it is expedient further to amend the Maharashtra Homoeopathic Practitioners' Act and the Maharashtra Medical Council Act, 1965, for the purposes hereinafter appearing ; it is hereby enacted in the Sixty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Maharashtra Homoeopathic Practitioners' and the Maharashtra Medical Council (Amendment) Act, 2014. Short title and commencement.
- (2) It shall come into force on such date, as the State Government may, by notification in the *Official Gazette*, appoint.

CHAPTER II

AMENDMENT OF THE MAHARASHTRA HOMOEOPATHIC PRACTITIONERS' ACT.

Amendment of section 20 of XII of 1960. **2.** In section 20 of the Maharashtra Homoeopathic Practitioners' Act, in sub-section (12), in clause (a), for the word "only", the following portion shall be substituted, namely :—

"and the Modern Scientific Medicine (Allopathy) in the State to the extent of knowledge recieved by passing the Certificate Course in Modern Pharmacology approved by the State Government".

CHAPTER III

AMENDMENT OF THE MAHARASHTRA MEDICAL COUNCIL Act, 1965.

Amendment of section 2 of Mah. XLVI of 1965. **3.** In section 2 of the Maharashtra Medical Council Act, 1965 (hereinafter reffered to as "the principal Act"),—

(a) in clause (d),—

(i) for the words "or Biochemic System of Medicine;" the words "system of medicine;" shall be substituted;

(ii) the following proviso shall be added, namely :—

"provided that, nothing in this clause shall mean to exclude the registered practitioner as defined in clause (16) of section 2 of the Maharashtra Homoeopathy Practitioners' Act who have passed the Certificate Course in Modern Pharmacology approved by the State Government;"

(b) in clause (h), after the words "maintained under this Act" the words and figures "and includes a seperate register which shall be maintained by the Council for those covered by entry 28 of the Schedule" shall be added.

Amendment of section 10 of Mah. XLVI of 1965. **4.** In section 10 of the principal Act, in clause (c), after the words "the conduct of practitioners" the words and figures "including those covered by entry 28 of the Schedule" shall be added.

Amendment of Schedule of Mah. XLVI of 1965. **5.** In the Schedule to the principal Act, after entry 27, the following entry shall be added, namely :—

"28. Registered practitioner as defined in clause (16) of section 2 of the Maharashtra Homoeopathy Practitioners' Act who have passed the Certificate Course in Modern Pharmacology approved by the State Government .".

STATEMENT OF OBJECTS AND REASONS

With the increase in population, there is shortage of human resources in practice of modern scientific medicine (Allopathy). There is continuous demand from different sections of society to give permission to Homoeopathic Practitioners to use allopathic medicines in treating patients. The Maharashtra Council of Homoeopathy is constantly pursuing the same with the Government. Considering the need of people of the State and to achieve the goal of "Health for All", the Government considers it expedient to allow the Homoeopathic Practitioners' who have undergone the course in Modern Pharmacology to practice Allopathy by amending section 20 of the Maharashtra Homoeopathic Practitioners' Act (XII of 1960) and sections 2, 10 and the Schedule of the Maharashtra Medical Council Act, 1965 (Mah. XLVI of 1965), suitably. It is decided to prescribe a one year course in Modern Pharmacology including theory, practical, clinical training with rotating posting.

2. The Bill is intended to achieve the above objectives.

Mumbai,
Dated the 12th June 2014.

JITENDRA AVHAD,
Minister for Medical Education.

MEMORANDUM REGARDING DELEGATED LEGISLATION

The Bill involves the following proposal for delegation of legislative power, namely :—

Clause 1(2).— Under this clause, power is taken to the State Government to bring the Act into force on such date as it may, by notification in the *Official Gazette*, appoint.

2. The above-mentioned proposal for delegation of legislative power is of a normal character.

Vidhan Bhavan :

Mumbai,

Dated the 13th June 2014.

DR. ANANT KALSE,

Principal Secretary,

Maharashtra Legislative Assembly.

ANNEXURE TO L. A. BILL No. XXIII OF 2014—THE MAHARASHTRA
HOMOEOPATHIC PRACTITIONERS AND THE MAHARASHTRA
MEDICAL COUNCIL (AMENDMENT) BILL, 2014.

(Extracts from the Maharashtra Homoeopathic Practitioners Act)

(~~Bom. XII of 1960.~~)

1. to 19 * * *

20. (1) to (11) * * *

Preparation
of Register.

(12)(a) Every registered practitioner shall be given a certificate of registration in the form prescribed by rules ¹[and shall practice ²[Homoeopathy] only. The registered practitioner shall display the certificate of registration in a conspicuous place in his dispensary, clinic or place of practice.]

(b) and (c). * * *

(13) * * *

(21) to (46) * * *

SCHEDULE. * * *

(Extracts from the Maharashtra Medical Council Act 1965)

| | | | | | |
|---|---|---|---|---|---|
| | 1. | * | * | * | * |
| Defination. | 2. (a) to (c) | * | * | * | * |
| | (d) “ medical practitioner ” or “ practitioner ” means a person who is engaged in the practice of modern scientific medicine in any of its branches including surgery and obstetrics, but not including veterinary medicine or surgery or the Ayurvedic, Unani, Homoeopathic or Biochemic system of medicine; | | | | |
| | (e) to (g) | * | * | * | * |
| | (h) “ register ” means te register of medical practitioners prepared or deemed to be prepared and maintained under this Act; | | | | |
| | (l) to (m) | * | * | * | * |
| | 3. to 9. | * | * | * | * |
| Powers, Duties and Functions of the Council. | 10. (a) to (b) | * | * | * | * |
| | (c) to prescribe a code of ethics for regulating the professional conduct of practitioners; | | | | |
| | (d) to (e) | * | * | * | * |
| | 11. to 36. | * | * | * | * |
| | SCHEDULE. | * | * | * | * |

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[~~L. A. BILL No. XXIII OF 2014.~~]

**[A Bill further to amend the Maharashtra
Homoeopathic Practitioners' Act and the
Maharashtra Medical Council Act, 1965.]**

**[SHRI JITENDRA AVHAD,
Medical Education Minister.]**

**[As passed by the Legislative Assembly
on the 13th June 2014.]**

**DR. ANANT KALSE,
Principal Secretary,
Maharashtra Legislative Assembly.**